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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/046,874

01/15/2002

Mikael Johansson

8194-582

5481

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05/03/2006

MYERS BIGEL SIBLEY & SAJOVEC

PO BOX 37428

RALEIGH, NC 27627

EXAMINER

NGUYEN, HANH N

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/046,874

Applicant(s)

JOHANSSON ET AL.

Examiner

Hanh Nguyen

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 2/16/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-12, 15-18, 23-27 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-12, 15-18, 23-27 and 30-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

HANH NGUYEN  
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/15/02 2/16/06

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8, 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant is advised that “ a method of configuring...” on line 1, claim 8 and “ a computer program product for configuring .....” on line 1 of claim 27 do not make positive meanings in the claims. See MPEP 2106.II.C.

Claims 9-11, 30 and 33 are rejected because they depend on claims 8 and 27 respectively.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 10, 12, 23, 24, 25, 27, 30-33 are rejected under 35 USC 103(a) as being unpatentable over Thro et al. ( US pat. 5,940,768) in view of Von Hammerstein et al. (US pat. 6,278,708 B1).

In claims 8, 12, 23 and 27, Thro et al. discloses a method of configuring a Mobile Data Base Station (MDBS) (infrastructure transceiver 200; see fig.2; col.3, lines 45-50) of a Cellular

Digital Packet Data (CDPD) communications system (RF communication 100; see fig.1) comprising: communicating a frame ( information regarding operations of the transceiver) from a frame relay node (configuring server supporting Frame relay protocol; see col.4; lines 5-8) of a backbone network of the CDPD communications to the MDBS ( transceiver 200) (see fig.3, steps 301-306; configuring server transmits to the transceiver 200 information regarding a site identification assigned to the infrastructure transceiver; see col.5, col.5, lines 30-40); Thro further disclose ( claim 27) program code providing communications between BS and frame relay node ( executable software instructions in form of code for use by the transceiver; see col.5, lines 45-50). Thro et al. further disclose that the transceiver configures itself to receive from the server information identifying location of the transceiver (col.5, line 60 to col.6, line 10 & col.6, line 57 to col.7, line 5 and col.7, lines 35-40) ( the MDBS self-configures to identify its address from a server supporting frame relay protocol).Thro et al. does not explicitly discloses the Data Link Connection Identifier (DLCI) in the received information is used as base station address. Since the connection 207 between the server and the transceiver supports Frame relay protocol, therefore the information transmitted to the transceiver must comprises DLCI in the header; and the DLCI refers to the address of the transceiver which uses it to communicate with other mobile units in the coverage area (see col.7, line 62 to col.8, line 5).

In order to provide the missing limitation of DLCI, Von Hammerstein et al. discloses, in fig.1, that a DLCIs are inserted in a frame really packet to assign the packet 's destination ( se col.1, lines 50-60. Therefore, it would have been obvious to assign an address such DLCI in Frame relay packet to a base station in order to uses the DLCI as its frame relay address.

In claims 9 and 24, as disclosed in the rejection of claim 8 by Thro et al., Thro et al. discloses the transceiver configures in response a request from the server to verify the operating condition ( see col.6, lines 1-8); therefore, it would have been obvious that the transceiver of Thro et al. can be implemented to receive LMI ( local management interface) frame.

In claims 30, 31, 32 and 33, the limitations of these claims have been addressed in claim 8.

In claims 10 and 25, the limitations of these claims have been addressed in claim 8.

Claims 11, 15, 16, 17, 18 and 26 are rejected under 35 USC 103(a) as being unpatentable over Thro et al. ( US pat. 5,940,768) in view of Von Hammerstein et al. (US pat. 6,278,708 B1), and further in view of Hossain et al. ( US Pat. 6,920,116 B1)

In claims 11, 15, 16 and 26, as disclosed by the Thro et al. in the rejection of claim 8, Thro does not disclose processing the received frame to recover a datagram. Hossain et al. discloses, in fig.3, that an NSEI ( IP address) is allocated and automatically configured into into a new joined Base station (recover datagram; see Abstract; col.2, lines 65-68). The Ip packets are transmitted over IP packets (see col.2, lines 40-50). It is understood in protocol stack that IP address belongs to a protocol higher than frame relay ( claims 15, 16).

In claims 17 and 18, the limitations of these claims have been addressed in claim 8.

### ***Response to Arguments***

Applicant's arguments with respect to claims 8-11, 12, 15-18, 23-27 and 30-33 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Niska et al. (US Pat. 6,041,228) ;

Firooz et al. (US Pat. 6,145,019);

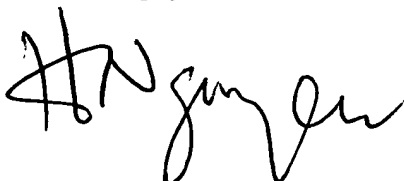
Casper et al. (US pat. 6,188,675 B1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Friday from 8:30 to 4:30. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571 272 4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen



**HANH NGUYEN**  
**PRIMARY EXAMINER**